

Message Text

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FILE; TELEGRAM TEXT FOR THIS SEGMENT IS UNAVAILABLE

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ACTION EA-12

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01

INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15

USIA-06 IO-13 ACDA-12 TRSE-00 OMB-01 CU-04 HA-05

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FM USLO PEKING

TO SECSTATE WASHDC PRIORITY 0068

INFO AMCONSUL HONG KONG PRIORITY

AMEMBASSY MOSCOW

AMEMBASSY TAIPEI

SMEMBASSY TOKYO 3043

CINCPAC HONOLULU HI

C O N F I D E N T I A L SECTION 2 OF 2 PEKING 617

CINCPAC FOR POLAD

CONDITIONS ARE RIPE." (THE 1975 CONSTITUTION
STATED THAT THE SMALLER AND MORE MANAGEABLE
PRODUCTION TEAM WAS THE BASIC UNIT OF PRODUCTION).
THERE IS ALMOST NO MENTION OF ISSUESCONNECTED WITH FOREIGN
POLICY EXCEPT FOR APREAMBULAR STATEMENT THAT "WE ARE
DETERMINED TO LIBERATE TAIWAN." THIS WAS NOT IN
THE 1975 CONSTITUTION.

5. THE NEW CONSTITUTION DIFFERS FROM THE 1975 CONSTITUTION
IN SEVERAL OTHER SIGNIFICANT AREAS:

--THE PEOPLE'S LIBERATION ARMY IS TO BE A PROFESSIONAL FIGHTING FORCE
AND IS NO LONGER DESCRIBED AS
A CIVILIAN PRODUCTION FORCE, THEREBY REDUCING THE
PROBABILITY OF EXCESSIVE MILITARY INVOLVEMENT IN
LOCAL POLITICS.

--THE "UNITED FRONT" CONCEPT IS EXPANDED TO SPECIFICALLY
INCLUDE INTELLECTUALS, PATRIOTIC PERSONAGES, "OUR
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COMPATRIOTS IN TAIWAN, HONG KONG AND MACAO, AND OUR
COUNTRYMEN RESIDING ABROAD."

--THE PRC HAS EMBARKED ON A "NEW PERIOD OF DEVELOPMENT IN
THE CHINESE SOCIALIST EVOLUTION AND SOCIALIST CONSTRU-

CTION" AFTER THE OFFICIAL END OF THE CULTURAL REVOLUTION.

--THE NATIONAL PEOPLE'S CONGRESS IS DESCRIBED AS THE

"HIGHEST ORGAN OF STATE POWER" BUT ABSENT IS THE 1975

QUALIFIER "UNDER THE LEADERSHIP OF THE COMMUNIST PARTY".

WHILE PARTY LEADERSHIP OVER STATE ORGANS IS CLEAR IN

OTHER ARTICLES IN THE NEW CONSTITUTION, THE STATE

HIERARCHY IS PLACED, AT LEAST IN THEORY, ON MORE OF AN

EQUAL FOOTING WITH THE PARTY APPARAT -- A SYSTEM EQUIVALENT

TO CHINESE ORGANIZATION IN THE 1950S.

--REVOLUTIONARY COMMITTEES ARE ABOLISHED AT THE PREFECTURAL

LEVEL AND IN OTHER LOCAL UNITS BUT RETAINED IN TOWNS,

COMMUNES, MUNICIPALITIES, DISTRICTS AND IN HIGHER ADMINI-

STRATIVE ORGANS. THERE WILL BE GREATER CONCENTRATION OF

AUTHORITY IN THE HANDS OF LOCAL OFFICIALS.

--NPC DEPUTIES HAVE THE POWER TO ADDRESS "INQUIRIES" TO

THE STATE COUNCIL AND OTHER STATE ORGANS "WHICH ARE ALL

UNDER OBLIGATION TO ANSWER".

--THE DUTIES OF LOCAL PEOPLE'S CONGRESSES ARE MORE EXPLICIT

AND INCLUDE POWER OVER THE IMPLEMENTATION OF LAWS, ADHERENCE

TO THE CONSTITUTION, AND INVOLVEMENT WITH LOCAL ECONOMIC PLANS.

6. THE NEW CONSTITUTION ALSO GOES BEYOND THE PREVIOUS

CONSTITUTION IN ITS EXPRESSED GUARANTEE OF DEMOCRATIC PROCESSES

AND HUMAN RIGHTS. DELEGATES ARE TO BE ELECTED TO

THE NPC BY SECRET BALLOT, INDIVIDUALS CAN LODGE COMPLAINTS

WITHOUT RETRIBUTION TO HIGHER AUTHORITIES ABOUT UNFAIR

TREATMENT BY LOCAL OFFICIALS, AND THE FREEDOM OF EXPRESSION

IS EXPANDED. THE POWER OF LOCAL PUBLIC SECURITY

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ORGANS IS DRASTICALLY REDUCED. THE CONSTITUTION STATES

THAT PUBLIC SECURITY ORGANS CAN NO LONGER MAKE ARRESTS

SOLELY ON ITS OWN AUTHORITY -- IT MUST HAVE THE SANCTION OF

A COURT DECISION OR A PROCURATORATE'S APPROVAL. ACCUSED ARE

ALSO GUARANTEED THE RIGHT TO DEFENSE AND LOCAL COURTS ARE

ACCOUNTABLE TO LOCAL PEOPLE'S CONGRESSES. NATIONAL MINORITIES ARE

ALSO DECLARED "EQUAL" WITH APPROPRIATE PROMISES TO

ALLOW FREEDOM OF CUSTOM AND LANGUAGE.

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NNN

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